

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA ALEXANDRIA DIVISION**

Wilson Ochar

V

Lentegrity *et al*
Merlex Auto Group



Case No: 1:24-cv-00926

**MOTION TO APPEAL THE DISMISSAL OF PLAINTIFF'S COMPLAINT AGAINST
THE DEFENDANTS LENTEGRITY AND MERLEX AUTO GROUP**

1. HERE COMES NOW, Wilson Ochar, the plaintiff in this case, humbly and kindly requesting the court to accept the following motion to appeal the dismissal of his complaint and request to enter the discovery phase against the defendants Lentegrity and Merlex Auto Group.
2. The defendant engaged in the following predatory lending activities:
 - a. Hidden fees - The origination fee for the loan from Merlex Auto Group which is the same company selling the vehicle was hidden under the price of the vehicle.
 - b. Excessive interest rates - the agreed rate was a fixed rate of 15.99% which brings the amount to about 150\$ a month in interest which matches with what the consultant said over the phone that the rate is 5\$ a day so in a month that is 150\$ (5\$ x 30 days = 150\$), but in the financial statements provided we can see the plaintiff has been paying more than 150\$ a month in excessive interest rates, which violated the sales contract agreed upon when the vehicle was purchased.
 - c. Bait and switching - Plaintiff notes that the defendant promised a fixed rate of 15.99% interest rate which is about 150\$ a month, but is delivering a

different set of terms making it a variable rate and not the agreed fixed rate,
hence the submission of his complaint to the court.

3. Plaintiff also alleges that these activities by the defendant are in violation of the following federal and state codes:
- a. The Truth In Lending Act [TILA], 15 U.S.C. 1601 *et seq.*, and 15 U.S. Code § 1605 - Determination of finance charge.
 - b. 15 U.S. Code § 1666. 3 (B) (1) - Correction of billing errors,
 - c. The state of Virginia Code § 6.2-2215
4. Therefore, this action by the defendant has caused financial damage by debt trapping the plaintiff, causing trauma, stress and anxiety which have a far reaching consequences in the future and it is for these reasons set forth fully that the plaintiff kindly and humbly requests the court to accept his appeal and reinstate his complaint and proceed to the discovery phase for a review of the complaint for compensation relief as the court deems proper and just.
5. WHEREFORE plaintiff respectfully files this humble submission to the United States

District Court Eastern District Alexandria Division.

Signed 

Dated: July 5th, 2024

Respectfully Submitted By:

Wilson Ochar

928 Manor Rd Apt 202 Alexandria, VA 22305

Telephone: 703-795-6182

Email: wilson.ochar@gmail.com

Pro Se Party

FILED
JUL 13 2024

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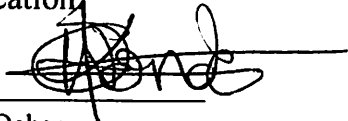
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Local Rule 83.1 (N) Certifications.

I declare under penalty of perjury that no attorney has prepared or assisted in the preparation of *Plaintiff's statement of claim, Motion to Appeal, and Request for a court appointed attorney, Notice of Hearing, Roseboro Notice, Proposed Order or this Local Rule 83.1 Certification.*



Wilson Ochar
Plaintiff & Pro Se Party
Submitted on July 5th 2024
928 Manor Rd Apt 202
Alexandria, VA 22305
Telephone: 703-795-6182
Email:wilson.ochar@gmail.com

The following attorney(s) prepared or assisted me in preparation of

(Name of Attorney)

(Address of Attorney)

(Number of Attorney)

(Email of Attorney)

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ROSEBORO NOTICE

Pursuant to Local Rule 7(K), and in accordance with *Roseboro v. Garrison*, 528 F. 2d 390 (4th Cir. 1975), Defendant is advised that he has the right to file a response opposing the motion accompanying this notice, and that failure to respond may result in the relief requested in this motion, Wilson Ochar v Lentegrity and Merlex Auto Group Motion For Summary Judgment in favor of the plaintiff, and/or entry of judgment in favor of Plaintiff being granted. Defendant's response must identify all facts stated by the plaintiff with which the defendant disagrees and must set forth his version of the facts by offering affidavits (i.e., written statements signed before a notary public and under oath) or by filing sworn statements (i.e., bearing a statement that is filed under penalty of perjury). The defendant may also file a legal brief in opposition to the one filed by the Plaintiff. The defendant's response must be filed, and a copy provided to Plaintiff, within twenty-one (21) days of the date Defendant's motion is filed. Plaintiff's motion was filed on July 5th, 2024.

Dated: July 5th, 2024

Respectfully Submitted By:

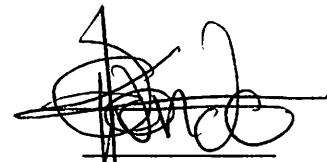
Wilson Ochar

928 Manor Rd Apt 202 Alexandria, VA 22305

Telephone: 703-795-6182

Email: wilson.ochar@gmail.com

Pro Se



Wilson Ochar

Plaintiff & Pro Se

CERTIFICATE OF SERVICE

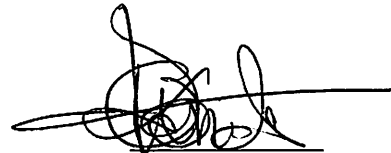
Case No: 1:24-cv-00926

Plaintiff hereby certifies that on this 5th day of July, 2024, a true copy of the foregoing was filed in the United States District Court Eastern District Alexandria Division, and sent by electronic mail and first-class mail, postage prepaid, to the following:

Lentegrity Customer Service
27472 Portola Pkwy #205-345
Foothill Ranch, CA 92610.
California Debt Collector License #10216-99
Telephone: 833-688-0694
E-mail: cs@lentegrity.com

And

Merlex Auto Group
1105 N Glebe Rd
Arlington, VA 22201
Phone: 703-685-9312
Email: merlexautogroup@gmail.com

A handwritten signature in black ink, appearing to read 'Wilson Ochar', written over a horizontal line.

Wilson Ochar
Plaintiff & Pro Se